

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Daniel L. Crowe,)	C/A No.: 1:14-3831-BHH-SVH
)	
Petitioner,)	
)	
vs.)	ORDER
)	
Warden of Perry Correctional)	
Institution,)	
)	
Respondent.)	
)	

Petitioner, proceeding pro se, brought this action requesting a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Respondent filed a motion for summary judgment on April 13, 2015. [ECF No. 34]. As Petitioner is proceeding pro se, the court entered an order pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), on April 14, 2015, advising him of the importance of a motion for summary judgment and of the need for him to file an adequate response by May 18, 2015. [ECF No. 35]. Petitioner was specifically advised that if he failed to respond adequately, Respondent's motion may be granted, thereby ending this case. Petitioner moved for, and the court granted, two extensions of time until July 17, 2015, within which to file a response.

Notwithstanding the specific warning and instructions set forth in the court's *Roseboro* order, Petitioner has failed to respond to the motion. As such, it appears to the court that he does not oppose the motion and wishes to abandon this action. Based on the foregoing, the undersigned orders Petitioner to advise the court as to whether he wishes to continue with this case and to file a response to Respondent's motion for summary

judgment by August 11, 2015. Petitioner is further advised that if he fails to respond, this action will be recommended for dismissal with prejudice for failure to prosecute. *See Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Shiva V. Hodges". The signature is written in a cursive, flowing style.

July 28, 2015
Columbia, South Carolina

Shiva V. Hodges
United States Magistrate Judge